

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARZETTE KING,

Defendant.

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Criminal Case No. 07-89 JJF

JOINT MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT

The United States of America, by its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Martin C. Meltzer, Special Assistant United States Attorney, and Luis Ortiz, Esq., counsel for defendant Marzette King, respectfully request to exclude the time for January 31, 2008 to April 15, 2008 in computing the time within which the trial must commence, pursuant to 18 U.S.C. § 3161(c)(1). In support of this motion, the parties aver as follows:

1. Pursuant to a motion filed by the Government a scheduling conference was held on January 11, 2008.
2. At the scheduling conference the Court set trial for the above referenced matter for April 15, 2008. The Court did not place on the record that the time from the scheduling conference until trial will be excluded in the interest of justice.
3. The trial must be commenced within Seventy (70) days from indictment pursuant to 18 U.S.C. § 3161(c). That time in this case will conclude on February 18, 2008.

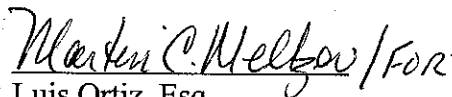
4. The defendant, through counsel, explicitly waives any and all rights involving a speedy trial pursuant to 18 U.S.C. § 3161(c)(1)

5. The Defense Counsel and the Government request that the time from January 31, 2008 to April 15, 2008, the commencement of trial, be excluded in the interest of justice.


WHEREFORE, it is respectfully submitted by the parties that the ends of justice are served by excluding the time from January 31, 2008 to April 15, 2008, in computing the time within which the trial must commence, pursuant to 18 U.S.C. § 3161(c)(1). A proposed Order is attached.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney


Luis Ortiz, Esq.
Attorney for Defendant

BY:


Martin C. Meltzer
Special Assistant United States Attorney

Dated: January 31, 2008

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ORDER

And now, this _____ day of _____ 2008, the Court finds that, for the reasons stated in the JOINT MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT, the ends of justice will be served by excluding the time from January 31, 2008 through April 15, 2008, pursuant to Title 18, United States Code, Section 3161(h).

IT IS HEREBY ORDERED that the JOINT MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT is granted and the time from January 31, 2008 through April 15, 2008, will be excluded in computing the time within which the trial must commence.

The Honorable Joseph J. Farnan, Jr.
United States District Court